

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Maertens et al

Atty. Ref.: **2752-51**

Divisional Serial No. **08/362,455**

Group:

Filed: **July 6, 2001**

Examiner:

For: **NEW SEQUENCES OF HEPATITIS C VIRUS
GENOTYPES AND THEIR USE AS THERAPEUTIC AND
DIAGNOSTIC AGENTS**

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July 6, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Preliminarily amend the above-identified application as follows:

IN THE SPECIFICATION

IN THE CLAIMS

Amend the claims as follows.

Cancel claims 1-23, without prejudice and add the following new claims:

--24. (new) A HCV antibody specifically recognizing an antigen from type 3, 4, 5
or type 2d of HCV.

25. (new) An HCV antibody according to claim 24 which has been produced
upon immunization from a mammal with an antigen from type 3, 4, 5 or type 2d of HCV.

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26. (new) An HCV antibody according to claims 24 or 25 being a monoclonal antibody

27. (new) An HCV antibody according to claim 24, further comprising a label.

28. (new) An HCV antibody according to claim 25, further comprising a label.

29. (new) An HCV antibody according to claim 26, further comprising a label.

30. (new) An HCV antibody according to claims 27 wherein said label is of the enzymatic, fluorescent or radioactive type.

31. (new) An HCV antibody according to claims 28 wherein said label is of the enzymatic, fluorescent or radioactive type.

32. (new) An HCV antibody according to claims 29 wherein said label is of the enzymatic, fluorescent or radioactive type.

33. (new) An HCV antibody according to any of claims 24-25 further being humanized by means of recombinant DNA technology.

34. (new) An HCV antibody according to any of claim 26 further being humanized by means of recombinant DNA technology.

35. (new) A kit for determining the presence of HCV antigens present in a biological sample, comprising,

(a) at least one monoclonal antibody according to any of claims 24-25 or 27-30,

(b) a buffer or components necessary or producing the buffer enabling the binding reaction between these antibodies and the HCV antigens present in said biological sample,

(c) a means for detecting the immune complexes formed in the preceding binding reaction.

36. (new) A kit for determining the presence of HCV antigens present in a biological sample, comprising,

(a) at least one monoclonal antibody according to any of claim 26,

(b) a buffer or components necessary or producing the buffer enabling the binding reaction between these antibodies and the HCV antigens present in said biological sample,

(c) a means for detecting the immune complexes formed in the preceding binding reaction.

37. (new) A kit for determining the presence of HCV antigens present in a biological sample, comprising,

(a) at least one monoclonal antibody according to any of claim 33,

(b) a buffer or components necessary or producing the buffer enabling the binding reaction between these antibodies and the HCV antigens present in said biological sample,

(c) a means for detecting the immune complexes formed in the preceding binding reaction.

38. (new) A humanized version of an HCV antibody according to any of claims 24-25 or 27-30.

39. (new) A humanized version of an HCV antibody according to any of claim 26.

40. (new) A humanized version of an HCV antibody according to any of claims 33.

41. (new) A composition comprising an HCV antibody according to any of claims 24-25 or 27-30.

42. (new) A composition comprising an HCV antibody according to claim 26.

43. (new) A composition comprising an HCV antibody according to claim 33.

44. (new) A composition comprising an HCV antibody according to claim 38.--

REMARKS

Claims 1-23 have been canceled, without prejudice. Claims 24-44 have been added and are pending.

A separate Request is attached requesting that the computer-readable copy of the Sequence Listing from the parent Application No. 08/362,455, be used for the present application.

An early and favorable Action on the merits is requested.

Respectfully submitted,

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By: _____



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REQUEST

The Office is requested to use the computer-readable copy of the Sequence Listing from the parent Application No. 08/362,455. The attached paper copy of the Sequence Listing is the same as the computer-readable copy of the Sequence Listing filed in parent Application No. 08/362,455. No new matter will be added.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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